

BOARD OF LICENSE COMMISSIONERS

City Hall, 718 Main Street

Fitchburg MA 01420

(978) 345-9557

William A. Judge, Chairman

Robert A. Bourque

David F. Arsenault

MINUTES OF MEETING

The regular meeting of the Board of License Commissioners was held on December 1, 2008 in the Veterans Memorial Room, City Hall, Fitchburg, and called to order by Chairman William Judge at 6:02 PM. Commissioners Robert Bourque and David Arsenault were present.

I. REVIEW AND ACCEPTANCE OF MINUTES FROM THE PREVIOUS MEETING.

The minutes from the regular meeting held on November 17, 2008 and the special meeting held on November 25, 2008 were reviewed, approved and signed.

II. NEW APPLICATIONS

John H. Franklin for Two (2) Special One Day Wine and Malt Beverages Licenses for Rainbow Childhood Development Center from 7:30PM to 12PM on December 13, 2008 and December 31, 2008 at 1146 Main St.

Approved 2/1 (Arsenault opposed) conditional upon receipt of letters from fundraising recipient (Rainbow Child Development Center) authorizing fundraising on their behalf. Applicant was also instructed to submit letter to the Board showing a report of contributions made.

Michael Smith for 2009 Solicitors/Canvassers License – Verizon Fios phone, internet and tv services. TRG Customer Solutions, 10 Roessler Rd., Woburn MA.

(2008 Annual License was granted on October 20, 2008)

Approved 3/0

Friends of the Fitchburg Senior Center for Special One Day All Alcoholic Beverages License for Country Band from 7P – 12MN on December 13, 2008 at O'Neil Hall, 14 Wallace Ave.

Approved 3/0

Friends of the Fitchburg Senior Center for Special One Day All Alcoholic Beverages License for Jazz Brunch from 11A – 1P on December 14, 2008 at O'Neil Hall, 14 Wallace Ave.

Approved 3/0

LATE FILED APPLICATION:

Friends of the Fitchburg Senior Center for Special One Day All Alcoholic Beverages License for ARC Christmas Party from 6P – 12 MN on December 12, 2008 at O'Neil Hall, 14 Wallace Ave.

Approved 3/0

III. HEARINGS

Lucky Duck, Inc., d/b/a Stooges Pub, 114 River St. for Transfer of License and Change of Manager to C.B.G., Inc. d/b/a Beemers Pub, Peter C. Cote, Manager and Alteration of Premises to include outdoor patio.

Present were Mr. Peter Cote and his Attorney Robert Rice. Discussion ensued regarding various questions the Board had regarding the transferee's corporate structure and financing for the purchase. The Board stated that they would like to see the Power of Attorney granted to Mr. Cote from Barry & Schraeder Inc. which is the source of funding for the transfer. After lengthy discussion the Board

requested and the applicant agreed to make the following amendments to the application: 1.) Applicant will request Change of License Type from restaurant to general on premise because there are no kitchen facilities on the premises, 2.) The description of the premises will be revised to reflect exact language of existing license and a seating capacity needs to be defined, 3.) A full description of all proposed construction to the premises. Chairman Judge stated that he would check with the Building Commissioner to see if a new zoning determination letter for the new owner is required. Hearing continued to December 15, 2008 3/0.

Maraswami Corp., d/b/a Topps Liquors, 128 Water St. for Change of Location to Unit 2 of the Central Plaza, 128 Water St.

Mr. Kalpesh Patel was present. No one spoke in support of or in opposition to the Change of Location. Approved 3/0

IV. OTHER

- Vote on 2009 license renewal applications for establishments that have a valid certificate of inspection signed by the Building Commissioner and Fire Chief:

Café Destare
Compound
Partners Pub

St. Joseph's Club
Marconi Social Club
Pizza Hut

South Fitchburg Social Club
Wraps Plus
Knights of Columbus

The following four (4) applications were approved:

Café Destare, St. Joseph Club, South Fitchburg Social Club, Knights of Columbus.

All others were continued to December 15, 2008.

- Taxi Driver Applications
Approved for two years: Jason Gaffney
- Any other matter that may come before the Commission as time permits
Letter received from Attorney Butters representing Antoine Georges and Saurabh Patel for the December 15, 2008 summons hearing requesting re-scheduling was distributed to the Board. Summons Hearing for Antoine Georges and Saurabh Patel for Unlawful Gaming Device was rescheduled to January 5, 2009 at 6PM.

The Clerk was instructed to send a letter to Yvon Robichaud, owner of Armored Self Storage at 1146 Main Street to come in to a meeting to discuss his practice of leasing space of the premises for events.

The meeting adjourned at 7:54 PM.

Respectfully submitted,

Anna M. Farrell, Clerk
Approved:

William A. Judge

Robert A. Bourque

David F. Arsenault